REMARKS

Claims 1-28 are pending in this application.

I. Groth

The Office Action rejects claims 1-15, 17-22, 25, 27 and 28 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,281,322 ("Groth").* Applicant respectfully traverses this rejection.

Groth describes a coating composition containing an alkoxysilyl-functional polyisocyanate polyurea derived from (a) a polyisocyanate component, (b) an aminosilane and (c) optionally other isocyanate reactive compounds. See Groth, column 2, lines 11-33. Groth further discloses that the polyisocyanate component (a) is a polyisocyanate/polyol adduct prepared from a 4,4'-diisocyanatodicyclohexylmethane (such as an isocyanurate) and an addition product (such as the polyol trimethylolpropane). See Groth, column 2, lines 53-58. The Office Action asserts that the reaction of the adduct of polyisocyanate and trimethylolpropane with aminosilane of Groth would allegedly render obvious the composition of claims 1, 15 and 22. Applicant respectfully disagrees.

Claims 1 and 15 recite compositions including compounds comprising isocyanate-reactive groups, and claim 22 recites a compound having isocyanate reactive groups. Groth fails to disclose or suggest a compound comprising isocyanate-reactive groups.

The adduct of polyisocyanate and trimethylolpropane of Groth must be free of alcohol (-OH) groups to react with aminosilane. Isocyanate (-N=C=O) groups undergo strong

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* Applicant thanks Examiner Baumstein for the indication in the September 4, 2009, telephone call with Applicant's representative that the listing of claims rejected under 35 U.S.C. §103(a) on page 2 of the Office Action should have read 1-15, 17-22, 25, 27 and 28.

addition reactions with isocyanate-reactive compounds, such as polyols like the trimethylolpropane cited by the Patent Office. The addition reactions thereby destroy any isocyanate groups present until only one of either the isocyanate or the isocyanate-reactive compound remains.

In the case of Groth, if the reaction of the isocyanurate and the polyol was conducted in a stoichiometric excess of polyol (i.e., an excess of alcohol groups), all isocyanate groups would be reacted, rendering the resulting polyisocyanate/polyol adduct unreactive with the aminosilane.

Because, as discussed above, Groth discloses the reaction product of a polyisocyanate/polyol adduct component reacted with an aminosilane, the polyisocyanate/polyol adduct must be free of -OH groups (which react with isocyanate groups as discussed above) so that the adduct would still have isocyanate groups available to react with the aminosilane. Groth's adduct must thus be free of isocyanate-reactive groups. Oppositely, claims 1, 15 and 22 recite compounds having isocyanate-reactive groups.

Applicant notes that Groth discloses other isocyanate-reactive compounds as optional reaction component C). See Groth, column 2, line 33. However, Groth further discloses that if optional reaction component C) is included, the reaction of any -NCO compounds with the isocyanate-reactive compounds "is preferably carried out before the reaction with the aminosilane." Groth, column 3, lines 58-59. As discussed above, for the polyisocyanate adduct to react with the aminosilane, there must be reactive isocyanate groups remaining. If excess isocyanate-reactive compounds were included, the polyisocyanate adduct would not have the necessary isocyanate groups to react with the aminosilane, and therefore excess isocyanate-reactive compounds cannot be present. Again, oppositely, claims 1, 15 and 22 recite compounds having isocyanate-reactive groups.

Further, Groth describes "coating compositions containing 40 to 100% by weight, based on resin solids, of an alkoxysilyl-functional polyisocyanate polyurea which is the reaction product" of the disclosed reaction. Groth, column 2, lines 11-14. As such, because Groth describes a polyisocyanate-containing reaction product, the final reaction product of Groth also cannot contain reactive -OH groups, or all isocyanate groups would have been reacted and the reaction product thus would not be a polyisocyanate.

Finally, Groth fails to provide one of ordinary skill in the art with any reason or rationale to have derived a compound comprising isocyanate-reactive groups, as recited in claims 1, 15 and 22.

Therefore, Groth fails to render obvious claims 1-15, 17-22, 25, 27 and 28. Withdrawal of the rejection is respectfully requested.

II. Hofacker In View Of Groth

The Office Action rejects claims 1, 16, 21 and 23-26 under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent Application Publication No. 2002/0142169 ("Hofacker") in view of Groth. Applicant respectfully traverses this rejection.

Hofacker discloses a primer containing a two-component polyurethane binder, wherein the binder comprises a silane modified polyisocyanate and a lacquer resin defined as a polyol. See Hofacker, paragraphs [0008-0009] and [0046]. The Patent Office alleges this two-component polyurethane binder would be similar to the presently claimed compounds. Applicant respectfully disagrees.

As discussed above with regard to Groth, claims 1 and 22 recite compounds comprising isocyanate-reactive groups.

However, Hofacker discloses that "[a] silicon-modified polyisocyanate from table 1 was added to . . . polyol mixtures B1 to B5 . . . and mixed at room temperature with a NCO:OH ratio of 1.2:1." Hofacker, paragraph [0089]. In other words, there is an excess of

isocyanate (-NCO) groups in the composition of Hofacker. As such, no -OH groups of the polyol of Hofacker will remain after the -NCO and -OH groups react. Thus, Hofacker fails to disclose a compound comprising isocyanate-reactive groups, as required in claims 1 and 22. Further, Hofacker fails to provide any reason or rationale for one of ordinary skill in the art to have attempted a compound comprising isocyanate-reactive groups.

For at least the reasons discussed above, Groth fails to disclose a compound comprising isocyanate-reactive functional groups, and therefore fails to remedy the deficiencies of Hofacker. As such, Hofacker and Groth would not have provided one of ordinary skill in the art with any reason or rationale to have derived compounds comprising isocyanate-reactive groups, as recited in claims 1 and 22.

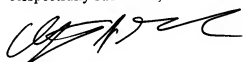
Therefore, Hofacker and Groth, whether taken independently or together, fail to render obvious claims 1, 16, 21 and 23-26. Withdrawal of the rejection is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-28 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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